DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF ENERGY, MINERAL AND LAND RESOURCES

FACT SHEET

GENERAL PERMIT NCG100000
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT TO DISCHARGE STORMWATER

2021 – 2026 Permit Term

1. TYPES OF DISCHARGES COVERED

a. Industrial Activities Covered by this General Permit

Coverage under this general permit applies to all owners or operators of stormwater point source discharges associated with establishments engaged in operating activities classified as Used Motor Vehicle parts [Standard Industrial Classification (SIC) 5015] and Automobile Wrecking for Scrap (a portion of SIC 5093].

Coverage also applies to point source discharges **from like industrial activities** deemed by the Division of Energy, Mineral and Land Resources (DEMLR) to be similar to these operations in the process, or the discharges, or the exposure of raw materials, intermediate products, by-products, products, or waste products.

b. Geographic Area(s) Covered by this General Permit

Discharges covered by this general permit are located at any place within the political boundary of the State of North Carolina. Discharges located on the Cherokee Indian Tribal Reservation are subject to permitting by the U.S. Environmental Protection Agency and are not covered by this general permit.

c. Receiving Waters

Receiving waters include all surface waters of North Carolina or municipal separate storm sewer systems conveying stormwater to surface waters.

2. MONITORING REQUIREMENTS

This permit specifies monitoring and reporting requirements for both quantitative and qualitative assessment of the stormwater discharges and operational inspections of the entire facility. Pollutant parameters and sampling frequency are based on the industrial activity performed at subject facilities, and on the potential for contamination of the stormwater runoff from those facilities. Qualitative parameters are consistent with other general permits in the NPDES stormwater program.

The draft renewal permit requires baseline sampling of all stormwater discharge outfalls and/or authorized representative discharge outfalls. Grab samples shall be collected, analyzed and reported for the parameters shown in the following table.

Parameter	FW BM mg/L	SW BM mg/L	Rational
Total Suspended Solids (TSS)	100	100	EPA MSGP recommended basic indicator of SCM effectiveness
TSS (HQW, ORW, Tr, PNA)	50	50	
Non-Polar Oil & Grease by EPA Method 1664 (SGT-HEM)	15	15	Adopted in 2015, more specific test for petroleum based oils and greases
Chemical Oxygen Demand (COD)	120	120	EPA recommended basic indicator of SCM effectiveness
pH	6-9	6-9	EPA recommended basic indicator of SCM effectiveness
Lead, Total Recoverable (as Pb)	.075	.22	No FWBM change. SW BM= NC CMC (acute dissolved SW Pb standard, 0.210 mg/L)/EPA translator(0.951)

FW BM: Freshwater Benchmark
SW BM: Saltwater Benchmark
EPA: Environmental Protection Agency
MSGP: Multi Sector General Permit
SCM: Stormwater Control Measure
HQW: High Quality Waters
ORW: Outstanding Resource Waters
Tr: Trout Waters
PNA: Primary Nursery Area Waters
CMC: Criterion Maximum Concentration

The renewal permit maintains benchmark concentrations for stormwater discharges from industrial site activities to provide facilities with a tool with which to assess the effectiveness of best management practices (BMPs). These benchmark concentrations are not effluent limits, but provide guidelines for the facility's Stormwater Pollution Prevention Plan (SWPPP). Exceedances of benchmark values require the permittee to increase monitoring, increase management actions, increase record keeping, and/or install stormwater BMPs in a tiered program.

The Environmental Protection Agency (EPA) 2021 Multi Sector General Permit (MSGP) incorporates recommendations from a National Academies of Sciences, Engineering, and Medicine (NAS) National Research Council (NRC) study. Some of these recommendations have been included in this draft permit. Specifically, Total Suspended Solids (TSS), pH, and Chemical Oxygen Demand (COD) are recommended as basic indicators of Stormwater Control Measure (SCM) effectiveness. TSS and pH were in the previous permit, but COD has been added to this permit. The MSGP has benchmark values, but NC benchmark values

are typically used in permits. EPA's conversion factor (or translator) is sometimes also used in calculating NC benchmarks as explained in the following paragraph.

Because of the sporadic nature of rainfall, DEQ considers acute (short-term) effects when establishing stormwater benchmarks for metals. The benchmarks are derived from the US EPA published dissolved National Recommended Water Quality Criteria (NRWQC) for metals (where applicable) and translated into total recoverable metals as required by § 40 CFR 122.45(c). (*Note that EPA and DEQ use the terms "total metal" and "total recoverable metal" synonymously to refer to the metals solubilized by digestion with strong solutions of mineral acids.*) DEMLR Stormwater Program plans to publish a fact sheet about Calculation of Stormwater Benchmarks that will provide more detailed information.

Total Rainfall (inches) will continue to be monitored. The total rainfall amount for each sampling event shall be recorded in inches. Total rainfall shall be determined from an on-site rain gauge or a regional rain gauge located within one (1) mile of the facility.

COD is a new analytical monitoring requirement. Total Toxic Organics (TTO) has been removed. Review of several of the facilities with NCG10 permits indicated that only about seven percent of the facilities are conducting TTO monitoring. The others certify that they implement a Solvent Management Plan and this allows the TTO monitoring requirement to be waived. Implementation of the Solvent Management Plan is now required.

Non-Polar Oil and Grease was incorporated as a standard monitoring parameter for all SDOs, not just those with vehicle or equipment maintenance areas. With this change, we have removed the separate monitoring requirements for outfalls only associated with vehicle/equipment maintenance areas.

Because Non Polar Oil and Grease is required of NCG10 facilities independent of the vehicle or equipment maintenance requirement, there is no longer a need to track the average monthly usage of new motor and hydraulic oil for the facility

Monitoring frequency has increased from two to four times a year. Seasonal and weather changes may impact the facility and its discharge. More frequent monitoring will better represent the discharge throughout the entire year. Samples shall be collected four separate monitoring periods per year. A minimum of thirty (30) days must separate sampling events:

- January 1 – March 31
- April 1 – June 30
- July 1 – September 30.
- October 1 – December 31

Some parts of the **Stormwater Pollution Prevention Plan** (SWPPP) have been expanded or modified. Please refer to the proposed draft General Permit NCG100000 for those requirements.

3. REPORTING REQUIREMENTS

a. Deadlines for Submitting Discharge Monitoring Reports

Discharge Monitoring Reports (DMRs) shall be submitted in accordance with following table. For COCs issued between March 1-31, June 1-30, September 1-30 or Dec 1-31, sampling shall not commence until the next sampling period following initial issuance of the COC.

Monitoring Period	DMR Type	Deadline	Notes
Jul 1, 2021 – Sep 30, 2021	Paper[1]	30 Days after the monitoring period ends	The deadline to register in eDMR is July 1, 2021
Oct 1, 2021 – Dec 31, 2021	Paper[1]	30 Days after the monitoring period ends	
Jan 1, 2022 – Mar 30, 2022	Electronic[2]	30 Days after the monitoring period ends	The deadline to report in eDMR is Jan 1, 2022
April 1, 2022 – Jun 30, 2022	Electronic[2]	30 Days after the monitoring period ends	
Jul 1 – 2022 – Sep 30, 2022 and all subsequent monitoring periods	Electronic[2]	30 Days after the monitoring period ends	

1. *Paper See Submittal Process before eDMR.*
2. *Electronic – See Submittal Process after eDMR*

b. Submittal Process before eDMR

Prior to eDMR, samples analyzed in accordance with the terms of General Permit shall be reported as follows:

- Sample results shall be recorded on Discharge Monitoring Report (DMR) forms that are available on Division's website: deq.nc.gov/about/divisions/energy-mineral-land-resources/npdes-industrial-stormwater.
- DMRs shall be signed and certified by a person meeting signatory requirements.

- Original, signed DMR forms shall be scanned and uploaded to the electronic DMR submittal form, which can be found at deq.nc.gov/SW-Industrial.

- Original signed DMR Forms shall be mailed or otherwise delivered to the appropriate Regional Office, which is indicated at: deq.nc.gov/contact/regional-offices.

c. Submittal Process after eDMR

Unless otherwise informed by the Director, permittees shall register in eDMR prior to July 1, 2021 and shall begin reporting discharge monitoring data using eDMR prior to January 1, 2022. Information about eDMR can be found by typing "https://deq.nc.gov/deq.nc.gov/sw-edmr" into a browser window and hitting "enter"

d. Qualitative Monitoring Reports

The permittee shall record the required qualitative monitoring observations on the SDO Qualitative Monitoring Report form provided by the Division and shall retain the completed forms on site. Qualitative monitoring results shall not be submitted to the Division, except upon the Division's specific requirement to do so. Qualitative Monitoring Report forms are available the Division's website (https://deq.nc.gov/about/divisions/energy-mineral-land-resources/npdes-stormwater-gps).

4. COMPLIANCE SCHEDULE

The compliance schedule in Part I, Section I-1 advises that the permittee comply with Limitations and Controls specified for stormwater discharges in accordance with the following schedule:

Existing Facilities already operating but applying for permit coverage for the first time: The Stormwater Pollution Prevention Plan shall be developed and implemented within 12 months of the effective date of the **Certificate of Coverage** and updated thereafter on an annual basis. Secondary containment, as specified in Part B, Section B-9 of this general permit, shall be accomplished within 12 months of the effective date of the issuance of the **Certificate of Coverage**.

New Facilities applying for coverage for the first time: The Stormwater ollution Prevention Plan shall be developed and implemented prior to the beginning of discharges from the operation of the industrial activity and be updated thereafter on an annual basis. Secondary containment, as specified in Part B, Section B-9 of this general permit, shall be accomplished prior to the beginning of discharges from the operation of the industrial activity.

Existing facilities previously permitted and applying for renewal under this General Permit: All requirements, conditions, limitations, and controls contained in this permit (except new SWPPP elements in this permit renewal) shall become effective immediately upon issuance of the **Certificate of Coverage**. New elements of the Stormwater Pollution Prevention Plan for this permit renewal shall be developed and implemented within six months of the effective date of this general permit and updated thereafter on an annual basis. Secondary containment, as specified in Part B, Section B-9 of this general permit, shall be accomplished prior to the beginning of discharges from the operation of the industrial activity.

5. BASIS FOR CONTROLS AND LIMITATIONS

The conditions of this general permit have been designed using best professional judgment to achieve water quality protection through compliance with the technology-based standards of the Clean Water Act (Best Available Technology [BAT] and Best Conventional Pollutant Control Technology [BCT]). Where the Director determines that a water quality violation has occurred and water quality-based controls or effluent limitations are required to protect the receiving waters, coverage under the general permit shall be terminated and an individual permit will be required. Based on a consideration of the appropriate factors for BAT and BCT requirements, and a consideration of the factors discussed in this fact sheet for controlling pollutants in stormwater discharges associated with the activities as described in Item 1 (Types of Discharge Covered), this permit retains a set of requirements for developing and implementing stormwater pollution prevention plans, and specific requirements for monitoring and reporting on stormwater discharges.

The permit conditions reflect the Environmental Protection Agency's (EPA) and North Carolina's pollution prevention approach to stormwater permitting. The quality of the stormwater discharge associated with an industrial activity will depend on the availability of pollutant sources. This renewal permit still reflects the Division's position that implementation of Best Management Practices (BMPs) and traditional stormwater management practices which control the source of pollutants meets the definition of BAT and BCT. The permit conditions are not numeric effluent limitations, but rather are designed to be flexible requirements for developing and implementing site specific plans to minimize and control pollutants in the stormwater discharges associated with the industrial activity.

Title 40 Code of Federal Regulations (CFR) Part 122.44(k)(2) authorizes the use of BMPs in lieu of numeric effluent limitations in NPDES permits when the agency finds numeric effluent limitations to be infeasible. The agency may also impose BMP requirements which are "reasonably necessary" to carry out the purposes of the Act under the authority of 40 CFR 122.44(k)(3). The conditions of the renewal permit are retained under the authority of both of these regulatory provisions. The pollution prevention requirements (BMP requirements) in this permit operate as limitations on effluent discharges that reflect the application of BAT/BCT. The basis is that the BMPs identified require the use of source control technologies which, in the context of these general permits, are the best available of the technologies economically achievable (or the equivalent BCT finding).

All facilities covered by this general permit must prepare, retain, implement, and (at a minimum of annually) update a Stormwater Pollution Prevention Plan (SWPPP). The term "pollution prevention" distinguishes this source reduction approach from traditional pollution control measures that typically rely on end-of-pipe treatment to remove pollutants in the discharges. The plan requirements are based primarily on traditional stormwater management, pollution prevention and BMP concepts, providing a flexible basis for developing site-specific measures to minimize and control the amounts of pollutants that would otherwise contaminate the stormwater runoff.

The pollution prevention approach adopted in the SWPPP in this renewal permit still focuses on two major objectives: 1) to identify sources of pollution potentially affecting the quality of stormwater discharges associated with industrial activity from the facility; and 2) to describe and ensure that practices are implemented to minimize and control pollutants in stormwater discharges associated with industrial activity from the facility and to ensure compliance with the terms and conditions of the permit.

The Division believes that it is not appropriate at this time to require a single set of effluent limitations or a single design or operational standard for all facilities which discharge stormwater associated with industrial activity. This permit instead establishes a framework for the development and implementation of a site-specific SWPPP. This framework provides the necessary flexibility to address the variable risk for pollutants in stormwater discharges associated with the industrial activities that are addressed by this permit, while ensuring procedures to prevent stormwater pollution at a given facility are appropriate given the processes employed, engineering aspects, functions, costs of controls, location, and age of facility (as discussed in 40 CFR 125.3). This approach allows flexibility to establish controls which can appropriately address different sources of pollutants at different facilities.

There has been no significant change to this rationale since the previous General Permit NCG100000.

6. REQUESTED VARIANCES OR ALTERNATIVES TO REQUIRED STANDARDS

There are no requested variances or alternatives to required standards. Facilities requesting variances to required standards will not be covered under this General Permit but will instead be required to seek coverage under an individual permit.

7. THE ADMINISTRATIVE RECORD

The public notice, containing the NCG19 draft renewal permit and fact sheet are available at the NC Stormwater Program's Public Notice web site: https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwater-program/stormwater-public.

In addition, the historical record on the NCG10 permit is available at the Stormwater Program Laserfiche Repository, which can be found at:

https://edocs.deq.nc.gov/WaterResources/Browse.aspx?id=280110&dbid=0&repo=WaterResources.

8. STATE CONTACT

Additional information about the draft permit may be obtained at the above address between the hours of 8:00 AM and 5:00 PM Monday through Friday by contacting: **Paul Clark** at (919) 707-3642.

9. SCHEDULE OF PERMIT ISSUANCE

Draft Permit Public Notice – **Statewide Notice to publish May 17, 2021;**
Draft available on-line by May 17, 2021;
Comment Period Ends June 16, 2021

Permit Scheduled to Issue – **No later than June 30, 2021;**
Effective July 1, 2021

10. PROCEDURE FOR THE FORMULATION OF FINAL DETERMINATIONS

a. Comment Period

The Division of Energy, Mineral and Land Resources proposes to issue an NPDES General Permit for the above described stormwater discharges subject to the outlined effluent limitations, management practices, and special conditions. These determinations are open to comment from the public.

Interested persons are invited to submit written comments on the permit applications or on the Division of Energy, Mineral and Land Resources' proposed determinations to the following address:

Stormwater Program
Division of Energy, Mineral and Land Resources
1612 Mail Service Center
Raleigh, North Carolina 27699-1612
Attn: **Paul Clark**

All comments received within thirty (30) days following the date of public notice are considered in the formulation of final determinations.

b. Public Meeting

The Director of the Division of Energy, Mineral and Land Resources may hold a public meeting if there is a significant degree of public interest in a proposed permit or group of permits. Public notice of such a meeting will be circulated in newspapers in the

geographical area of the discharge and to those on the Division of Energy, Mineral and Land Resources' mailing list at least thirty (30) days prior to the meeting.

c. Appeal Hearing

An applicant whose permit is denied, or is granted subject to conditions they deem unacceptable, shall have the right to a hearing before the Commission upon making written demand to the Office of Administrative Hearing (OAH) within 30 days following issuance or denial of the permit.

d. Issuance of a Permit When no Hearing is Held

If no public meeting or appeal hearing is held, after review of the comments received, and if the Division of Energy, Mineral and Land Resources' determinations are substantially unchanged, the permit will be issued and become effective on the first day of the month following the issuance date. This will be the final action of the Division of Energy, Mineral and Land Resources.

If a public meeting or appeal hearing is not held, but there have been substantial changes, public notice of the Division of Energy, Mineral and Land Resources' revised determinations will be made. Following a 30-day comment period, the permit will be issued and will become effective on the first day of the month following the issuance date. This will be the final action of the Division of Energy, Mineral and Land Resources unless a public meeting or appeal hearing is granted.